

REMARKS

Upon entry of this response under Section 116, claims 15, 18-21 and 24-28 will be pending in the application for further examination. Applicants have amended certain claims and cancelled other claims as indicated above. Applicants respectfully submit that the claim amendments in conjunction with the claim cancellations and the remarks below overcome the cited art. This amendment under Section 116 should therefore be entered as it is believed to place the application in condition for allowance.

Response to Claim Rejections Under 35 U.S.C. 102(b) and 103(a)

Claims 15, 16, 19-22, 25, 26 and 28

Claims 15, 16, 19-22, 25, 26 and 28 have been rejected under 35 U.S.C. 102(b) as anticipated by Daffner (U. S. Patent Application Publication 2002/0120671).

Claims 17, 18, 23 and 24

Claims 17, 18, 23 and 24 have been rejected under 35 U.S.C. 103(a) as unpatentable over Daffner in view of Aupperle (U.S. Patent Application Publication 2003/0051027).

Claim 27

Claim 27 has been rejected under 35 U.S.C. 103(a) as unpatentable over Daffner in view of Moran (U.S. Patent Application Publication 2003/0083941).

Claim 15

Daffner relates to a system and process for data communications between a system unit 8 and facilities (heating and air conditioning, for example) (2, 3 ,4) in buildings for the remote monitoring and control of the facilities.

Independent claim 15 has been amended as set forth above to more clearly claim the subject matter the Applicants regard as the invention. These amendments are supported by at least paragraphs [00010], [00011] and [00014].

Claim 15 has been amended to claim that the communication network includes a central register database for providing information about the services provided by the communication network. There is no similar element disclosed by Daffner. The Daffner database referred to in

his paragraph [0028] includes information about the facilities (i.e., the controlled devices), including configuration, maintenance and operation data. No where does Daffner mention storing information about services provided by a communication network as the Applicants now claim.

Claim 15 has been further amended to claim that the service access unit is an element of the automation system (supported by paragraph [00010] of the Applicants' specification). Paragraph [00010] explains that a service requested by the automation system becomes active in the automation system itself. This feature requires the service access unit (or the service access means as referred to in the Applicants' specification) to request/establish a connection between the network services and the automation system.

Further, the service access unit is now claimed as operating as a client for requesting network services from the communication network and as a server for providing services in the communication network. See Applicant's paragraph [00018].

Both Daffner's protocol converter 1 and his system unit 8 share some common functionality with the Applicants' claimed service access unit. However there are several fatal omissions when Daffner's elements are compared with the service access unit. Daffner's system unit 8 is not an element of his field bus 5. In fact, the system unit 8 is connected to Daffner's field bus 5 via the PSTN/Internet. The Applicant's service access unit is claimed as one element of the automation system. With Daffner's PSTN/Internet interposed between his bus system 5 and the system unit 8, he cannot satisfy this claim limitation.

The Applicants now claim that the system unit 8 operates as a server in the communications network and as a client requesting services from the communications network. While Daffner's system unit 8 may request services from the PSTN/Internet, there is no disclosure that the system unit 8 operates as a server within the PSTN/Internet.

Finally, neither Daffner's protocol converter 1 nor his system unit 8 include a search engine (for searching the central register database of the communication network) as the Applicants now claim.

Since claim 15 has been amended, at least in part, by adding material from rejected claim 17, it is necessary to consider the specific rejections of claim 17 in determining the allowability of presently amended claim 15.

Claim 17 stands rejected under Section 103(a) as unpatentable over Daffner in view of Aupperle (U. S. Patent Application Publication 2003/0051027).

The Examiner states that Daffner teaches that the communication network has at least one central register database for providing information about at least part of the services and that Aupperle teaches a search engine for searching the central register database.

The Applicants note that although Aupperle teaches the search engine, Daffner's database does not provide information about the services offered in the communication network, as the Applicants now claim. Reference to Daffner's paragraph [0028], the first specification reference to the database, reveals that the database contains "the configuration, commissioning, maintenance and operation data of the facilities and/or the protocol converter." This is not information about the "services provided by the communication network," as now claimed. It is also noted that Aupperle discloses a database of "website functional characteristics," which as is understood, does not include communication services available on the network, but instead includes characteristics of individual websites.

Claims 16-20

Dependent claim 16 and 17 have been cancelled, without prejudice.

Dependent claims 18, 19 and 20 depend from claim 15 and are believed to be allowable for the same reasons as claim 15 is allowable and further each claims additional elements of the invention.

Claim 21

Independent claim 21 is a method claim that has been amended in a similar manner to claim 15, including at least: the central register database, the service access unit as one element of the automation system, the service access unit operative as a server for providing services in the communication network, and the service access unit comprising a search engine for searching

the central register database. Thus the remarks presented above also apply to claim 21 and the claim is therefore considered allowable over the cited art.

Claims 22-27

Claims 22 and 23 have been cancelled, without prejudice.

Dependent claims 24 - 27 depend from independent claim 21 and are therefore believed to be in allowable condition.

Claim 28

Independent claim 28 is an apparatus claim that has been amended in a similar manner to claim 15. Amended claim 28 now includes: the central register database, the service access unit operative as one element of the automation system, the service access unit operative as a client and a server, and the service access unit comprising a search engine for searching the central register database. Thus the remarks presented above also apply to claim 28 and the claim is therefore considered allowable over the cited art.

(Please continue to the next page.)

CONCLUSION

Since the proposed amendments overcome the current claim rejections, entry of the amendments and issuance of a Notice of Allowance for all pending claims is respectfully requested. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: July 15, 2009

By: Janet D. Hood
Janet D. Hood
Registration No. 61,142
(407) 736-4234

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830